

RESTRICTION REQUIREMENT

Claims 1-35 are pending in the present application, which claims are subject to a restriction requirement. The Examiner provides that the pending claims are directed to more than one patentably distinct species of the claimed invention. Specifically,

- I. Figure 1 is directed to a first species;
- II. Figure 2 is directed to a second species; and
- III. Figure 4 is directed to a third species.

Accordingly, the Applicants were requested under 35 U.S.C. §121 to elect the invention to which prosecution on the merits will be restricted. In this regard, the Applicants provide that Species III corresponds to a cleaning device that was covered by claims 16 to 26, which claims were withdrawn by previous election. With respect to the remaining two species, the Applicants elect Species 1, with traverse. Species 1 includes Claims 1-12.

REMARKS

The Examiner asserts that the embodiments of the claimed invention depicted in Figures 1 and 2, corresponding to Species 1 and 2, respectively, are patentably distinct. The Applicants respectfully traverse this assertion for the reasons provided below.

Claim 1 of the present invention is drawn to a cleaning apparatus that comprises "scrubbing means for scrubbing a surface of an object to be cleaned". This feature of the invention corresponds to item 1 (a roll brush) in both Figures 1 and 2.

The cleaning apparatus of the invention as claimed further comprises "ultrasonic wave projection means for supplying an aqueous agent against the surface of the object to be cleaned and generating an ultrasonic wave." This feature corresponds to item 2 (ultrasonic nozzle) in both Figures 1 and 2. Further limitations of claim 1 include that the scrubbing means and ultrasonic wave projection means oppose one another and, further, that the object to be cleaned is disposed between the scrubbing means and ultrasonic wave projection means. Each of these limitations is clearly depicted in Figures 1 and 2. Thus, claim 1 is generic to both Figures 1 and 2.

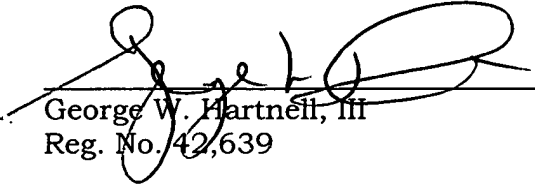
Figures 1 and 2 differ with respect to transport means. The illustrative embodiment depicted in Figure 1 includes transport means comprising transport rollers 4. See, e.g., Specification, pages 23-24. The roller feature is claimed in claim 11, which depends from claim 3. By contrast, the illustrative embodiment depicted in Figure 2 includes rotation drive means (an arm rotation mechanism 13) as a substitute for transport means. See, e.g., Specification, pages 29-30. This feature is claimed in claim 14. Accordingly, claim 1 is a generic claim that covers the illustrative embodiments depicted in Figures 1 and 2.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

If for any reason a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge or credit Deposit Account No. **04-1105**.

Respectfully submitted,

Dated: February 19, 2003


George W. Hartnell, III
Reg. No. 42,639

H. Yoshioka, et al.
USSN: 09/800,800
Page 4

Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209
617-517-5523 (telephone)
617-439-4170 (facsimile)

315773

Customer No.:



21874

PATENT TRADEMARK OFFICE